

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JEFFREY MINOR,)
Plaintiff,)
vs.) Case No. 4:05CV00586 ERW
CITY OF CHESTERFIELD et al.,)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court upon Plaintiff's Motion for Appointment of Counsel [doc. #35] and Motion for Leave to Proceed in forma pauperis [doc. #36]. A hearing was held on March 2, 2006, at which time the Court heard arguments from the parties on the Motion for Appointment of Counsel.

Pursuant to 28 U.S.C. § 1915(e)(1), the Court may appoint an attorney to represent any person unable to afford counsel. Based upon information provided by Plaintiff, including his affidavits, financial information, and in-court representations, the Court finds that Plaintiff is financially unable to obtain counsel. The Court further concludes that Plaintiff has in good faith attempted to obtain counsel and that the nature of this litigation is such that Plaintiff and the Court will benefit from assistance of counsel. Therefore, the Court will grant Plaintiff's request for appointment of counsel.

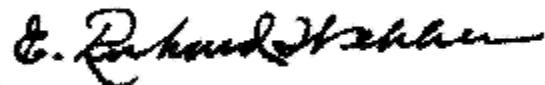
Plaintiff has also filed a Motion for Leave to Proceed in forma pauperis. Because Plaintiff already paid the filing fee in this case at the time the case was filed, his Motion to Proceed in forma pauperis will be denied as moot.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Appointment of Counsel [doc. #35] is **GRANTED**. Thomas M. Dee, Husch and Eppenberger, LLC, 190 Carondelet Plaza, Suite 600, St. Louis, MO, 63105, phone 314-480-1500, fax 314-480-1505, is appointed to represent Plaintiff in this matter. The Clerk of the Court shall provide Plaintiff's newly-appointed counsel with copies of any requested documents at no cost.

IT IS FURTHER ORDERED that Plaintiff's Motion for Leave to Proceed in forma pauperis [doc. #36] is **DENIED** as moot.

Dated this 2nd day of March, 2006.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE